



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,965	07/09/2003	Jorge Campello de Souza	HSJ920030068US1	1269

7590

09/09/2005

John L. Rogitz
Rogitz & Associates
Suite 3120
750 B Street
San Diego, CA 92101

EXAMINER

NGUYEN, HIEP T

ART UNIT

PAPER NUMBER

2187

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This Office action is a response to the communication filed July 9, 2003. Claims 1-33 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - a. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-9, 11-20, 22-31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sako et al., US 2003/0012099 [hereafter, Sako] in view of Rogoff et al., US 2002/0037081 [hereafter, Rogoff].
 - a. As per claims 1-3:
 - i. Sako teaches a device for storing multimedia data, comprising: a data storage medium (1), the medium having at least one restricted area (3) that restricts playback and/or copying of accessed data in which the computer device is rented [see page 3, par. 0037]. Sako further teaches that in case the optical disk is a rental-use , copying of read data from the optical disk can be limited to copying of analog signal that are generated by converting the read data. Accordingly, the claimed "controller ... including digital-to-analog circuitry" is taught.
 - ii. However, Sako does not disclose that:
 1. the restricted area (3) is an analog-only read portion, and
 2. the controller permitting only the digital-to-analog (D/A) circuit to access the analog-only read portion.
 - iii. Rogoff teaches that in order to prevent easy access to the digital video signals, most DVD players on the market today provide video output in analog format

only. One having ordinary skill in the art, who has both of the teachings [i.e., Rogoff and Sako] in front of him or her, would leads he or she to further incorporate the teaching of Rogoff into that of Sako. This is because both of the teaching are directed to data protection from being illegally duplicated and/or accessed. Furthermore, one having ordinary skill in the art would readily recognize that by incorporate the two teachings, certain data section in the Sako device would further protected from illegally duplicated with full video or audio quality regardless whether the device is a rental use or not.

iv. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to configure the Sako storage area (3) as a analog-only read section and configure the Sako controller in a manner that only the D/A is permitted to access the newly configured analog-only read memory section.

v. The ability to protected certain data section from duplicated with full quality provides sufficient suggestion and motivation to one having ordinary skill in the art to do such further configurations in the Sako system.

- b. As per claim 4: obviously, when the Sako system is configured in the manner mentioned above, there would be no digital output path exist on the device from the newly configure analog-only read memory section.
- c. As per claims 5-7: hard disk drive having a least one disk sealed from a housing has also been known in the art. Furthermore, on having ordinary skill in the art would readily recognize that the teaching of Sako and/or Rogoff would work equally well in any type of storage devices. Accordingly, it would have been obvious to one having ordinary skill in the art to implement the data protection scheme, as mentioned in the rejection of claim 1, on a hard disk drive.


Art Unit: 2187

- d. As per claim 8 : the further claimed limitation appears to be taught by Sako since Sako does not disclose the data in the memory section (2) need to be protected from digitally accesses.
 - e. As per claim 9: the further claimed limitation is rejected for the same reason as set forth fore claim 4 due to the similar in scope.
 - f. As per claims 11-20, 22-31, and 33: each of the claimed limitations has already been discussed and are taught by the combined teaching of Sako and Rogoff, as mentioned in the rejection of claims 1-9. Accordingly, claims 11-20, 22-31, and 33 are rejected for the same reason as that in claims 1-9.
4. Claims 10, 21, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sako in view of Rogoff , as applied to claims 1, 11, and 22, correspondingly, and further in view of a well known feature of which Official Notice is hereby taken.
- a. Sako in view of Rogoff disclose a system as mentioned in the rejection of claim 1.
 - b. However, neither Sako nor Rogoff teaches that the data in the analog-only read portion or a restricted memory portion is limited to a certain time interval, and after the expiration of such time interval the digitized data in the analog-only read portion or restricted memory portion is rendered inaccessible.
 - c. Limiting the access to certain information in a storage medium using a time interval has also been known and commonly used in the pertinent art; especially in rental DVDs. By doing so the renter would be limited to a certain number of times or time frame for viewing the rented data.
 - d. Accordingly, it would have been obvious to one having ordinary skill in the art to further incorporate the commonly used feature in to the Sako in view of Rogoff system by configure the Sako in view of Rogoff device to limit the analog-only read portion or the restricted memory section to a certain time interval, and after the expiration of such time interval the digitized data in the analog-only read portion or restricted memory portion is rendered inaccessible.

Art Unit: 2187

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Yoshi, 4,870,512, teaches a D/A converter in a data recording/reproducing device.
 - b. Onodera et al., U.S. 2001/0026531, teaches a data recording/reproducing device having a D/A converter.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hiep T. Nguyen whose telephone number is (571) 272-4197. The examiner can normally be reached on Monday-Friday from 9:30 am to 6:00 pm.
7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Hiep T Nguyen
Primary Examiner
Art Unit 2187

HTN